

Appln. No. 09/229,283  
Responsive to Office Action dated January 16, 2007  
Amendment dated May 7, 2007

### **Listing of the Claims**

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (CANCELLED)
- 2-3. (CANCELLED)
4. (CURRENTLY AMENDED) The method of claim [[1]] 14 or 21, wherein the biological specimen consists of malignant cells.
- 5-12. (CANCELLED)
13. (CANCELLED)
14. (PREVIOUSLY PRESENTED) A method for screening for melanoma using immunohistochemistry to determine whether microphthalmia (Mi) is expressed which comprises:
  - (a) contacting in vitro a biological specimen containing malignant cells with a monoclonal antibody that selectively binds to an epitope in the N-terminus Taq-Sac fragment of human Mi; and
  - (b) determining whether Mi is being expressed in the specimen by the binding of the antibody to Mi, wherein the expression of Mi in a malignant cell is indicative of melanoma.
15. (CANCELLED)
16. (CURRENTLY AMENDED) The method of claim [[1]] 14 or 21, wherein the biological sample is on a slide.
17. (CURRENTLY AMENDED) The method of claim [[1]] 14 or 21, wherein the antibody is used to determine where in the malignant cell the Mi is expressed.
- 18-20. (CANCELLED)

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21. (CURRENTLY AMENDED) ~~The method of claim 20~~ A method for screening for melanoma using immunohistochemistry to determine whether microphthalmia (Mi) is expressed which comprises:
- (a) contacting *in vitro* a biological specimen containing malignant cells with an antibody raised against peptides comprising regions of human microphthalmia (Mi) unique to human Mi that selectively binds human Mi; and
  - (b) determining whether Mi is being expressed in the specimen by the binding of the antibody to Mi, wherein the expression of Mi in a malignant cell is indicative of melanoma,  
wherein the antibody is a monoclonal antibody and wherein the antibody is generated using an epitope in the N-terminus Taq-Sac fragment of human Mi.
- 22-23. (CANCELLED)